

THE INDIAN AS A CITIZEN *

BY ANNA L. DAWES

IT is thirty years since the Severalty Bill was passed, making it possible for the Indians' land to be allotted and the Indian ward to become a citizen—thirty years, the life of a generation. I stand here today in behalf of my father, Henry Laurens Dawes, who wrote the bill and procured its passage, to rejoice with you for what it has accomplished, and to beg you and all the young Indians you represent to make it still more effective.

I cannot express my father's pleasure and satisfaction that you of this school should celebrate this day. For myself I count it one of my greatest honors that I should be asked to take part in this celebration because of the name I bear and the memories I cherish. I find the only time my father was able to be present on such an occasion was in 1892. But in 1889, the second anniversary, he wrote a letter to this meeting. It will seem to me as if he greeted you if I read an extract from that letter:—

“United States Senate,

Washington, D. C., Feb. 2, 1889.

“To General S. C. Armstrong, Hampton, Va.

* * * “The connection of the severalty law with the future of the Indian is demonstrated every day, not as a solution of the problem but as a gate opening a way to its solution.” * * *

“I wish I could seize upon the opportunity presented by your celebration to urge again, and, if possible, with more earnestness than ever before, upon those who shall gather there the duty which this legislation has devolved upon them, to see to it that the Indian, coming through this law to the place where two ways part, shall be sure to take that which leads upward and onward to self-support and an honorable position and not that which leads downward still further into idleness, degradation, and uselessness in the world. * * *

(Signed) H. L. DAWES”

My father greatly admired the high qualities of your race, and his interest in it was profound. By day and by night he pondered your difficulties and possibilities. In the summer he visited the reservations to discover your needs; in the winter he helped to solve your problems of national life. Nor is it too much to say

* An address on Indian Citizenship Day, February 8, 1917

that it was his own personal influence which drove this legislation through. By that influence he quieted the fearful West and aroused the indifferent East, and, harder still, he conquered the local enemies of the red man.

It is pertinent to consider some things which led up to this great achievement. This large word citizenship covers both rights and duties, equally for the individual and for the Government. It stands for a covenant of protection and loyalty between them. The relation of a citizen to the government under which he dwells is determined by that government and continually controlled by it. Neither white nor black nor red man enters into that covenant of protection and loyalty but by grace of law. The long centuries when the red man dwelt alone in our land did not make him a citizen of the United States, for the United States was not; when in 1787 we had become the United States, our forefathers believed they must protect the red man and the white man for the good of both. Perhaps it was not so mistaken a policy as it seems now, a hundred years later. The red man, so strong, so able, so noble, was yet driven back and back because without education in the white man's lore, or experience in his life, the red race could not adapt itself to so strange a civilization. Therefore, until the Indian could and would adapt himself to the new way, every reservation and every ration,—yes, every Indian agent,—stood for the protection of both races. Not until the Indian had gained this learning of books and life could his own great wisdom and ability be trusted to direct his people. Then the great adventure was possible and it began this day thirty years ago.

For just a decade the United States had been pushing the education which should make this possible. Against indifference and fierce opposition, in season and out of season, Mr. Dawes worked on the double foundation laid by Pratt and Armstrong, until, from a hard-wrung appropriation of \$20,000 in 1877, the Government had gone so fast that five years later it was spending more than \$1,000,000 to educate Indians. In that year of 1882 Miss Alice Fletcher came to Washington to plead the cause of the Omahas. A great scientist and a great philanthropist, she was and is a veritable patron saint of the red man. As an archæologist she had been studying the life of the Omahas in their homes. The men of this tribe had sought to take advantage of some old treaties and statutes to secure their land for themselves. There were treaty provisions made by Commissioner Money Penny in 1855; and there was a bill known as the Coke Bill, the first idea of which came from the time of Secretary Schurz and Senator Kirkwood. But neither treaty nor statute proved of any value when in the early seventies the Government proposed to remove the Omahas.

Then it was that the philanthropist in Alice Fletcher arose, and brought the cry of their distress to the Chairman of the Indian Committee of the United States Senate, where all such troubles came. Together she and Mr. Dawes considered this matter, and the result was the Omaha Bill of 1882 under which the Omahas could and did own their land, and "For the first time" says Miss Fletcher, "the Indian was brought under the law." But he was not yet a citizen. The result of that experiment was the chief concern of Mr. Dawes for the next five years, and so nobly did the educated Omahas respond—to their everlasting honor be it said—that the next step was possible.

In the five years between the two measures, what we sometimes call the "Dawes Bill" was considered and rejected in Congress again and again. The Five Civilized Tribes were so bitterly opposed to it that they had to be specifically omitted from its provisions before it could pass. All the evil forces that surround the reservation joined with much honest doubt of its wisdom in one immense pressure against it. Mr. Dawes worked on in tribulation and faith. Meanwhile the Supreme Court had decided that no way existed in which an Indian could become a citizen. Mr. Dawes saw that here was the great opportunity for the race, and, as he once wrote the first bill that enfranchised the Negro, so he now wrote the great citizenship clause into the allotment act which first gave the Indian his enfranchisement.

Just thirty years ago today he gave you the right to stand shoulder to shoulder with your fellow-citizens of the United States. Faith in man, and belief in brotherhood, and deep loyalty to the value and power of citizenship,—these were the beliefs behind this bill, and well have they been justified.

It was intended, as you know, that the privileges of citizenship and its high duties should be neither hindered nor curtailed. As soon as each Indian received his own land in his own hands, he thereby became a full citizen; he might go and come, buy and sell, sue and be sued, he might drink himself to death, he might get himself into jail if he would,—all the privileges of a citizen were his! And above all, he might vote.

Let me read you some of the statements which Mr. Dawes made at different times in regard to what he believed the bill did for the Indian allottee:—

"By the severalty act every head of a family has set apart for him one hundred sixty acres, the title to which is held by the United States, and the absolute use of which is for him for the period of twenty-five years and longer if the President deems it necessary. There is no other such title to real estate in the United States. It cannot be alienated during that period by either the Indian or the United States, or by both together, except by an act of Congress. The United States must defend the Indian in

the possession of it. It cannot be taxed. It cannot be taken for any of his debts. * * *

"The taking of it also clothes him with the citizenship of the United States and with the ballot, opens to him all the courts of the United States to enforce his rights and redress his wrongs. It takes him away from the malign and vicious influences of the tribal relation, and in every other respect clothes him with the attributes, and opens to him the doors, of citizenship.¹

"The moment he becomes a citizen, that moment the power of the Government over him ceases. It has no longer any control over a citizen Indian, any more than it has over you or me. It has made a citizen of him. It has opened the courts of the land to him. It has enabled him to walk up to the polls side by side with the proudest white man in the land, and no one can with impunity touch a hair of his head. But from that point the nation says he must walk alone. If any one of the children of these Indians enters the schools that are supported by the Government, it is of his own free will." (Hartford, Conn., 1892)

Such was the meaning which the author of the bill put into it. Mr. Dawes had helped to make a nation out of separate states, and he had done much to bring one whole race into freedom by the road of the law. These problems were not new to him, and, being one of the best legislative lawyers of his time, he knew how to meet them. Moreover a great patriotism and a great humanity continued to drive him forward unceasingly.

He had no illusions that this measure was perfect, but he did know that it was the Magna Charta of the red man, and he hoped for all things to follow in its train. Further changes—questions of taxes, the need of agents, and the like—must inevitably wait for the developing life of a people just sloughing off the good as well as the bad of their old life. And, it may be said, he had some disappointments in the working out of the measure. The states did not entreat the new citizens as he had hoped; there were no friendly folk from churches and philanthropic societies coming to the aid of the new farmer, as he expected; the Government divided the land with little regard to the "fitness" required in the bill, constantly giving freedom to the unfit, and, more often than he had dreamed possible, the Indian did not respond, shrinking from the bitter winds of self-help. It was no surprise to my father that the old Indians should sink under the waves of the strange ocean of freedom, but he did trust the young Indians to swim to the shores of a new world.

All men do not believe, as Mr. Dawes did, that liberty and law are worth more than protection, and, in one way and another since that day, restrictions have been preserved and full citizenship postponed. I have said these things, however, to show that Mr. Dawes himself did not hope for an immediate Utopia but that he believed the fundamental principle of this bill—that of full and

¹ Springfield Republican, 1888

immediate citizenship—to be the indispensable foundation of the whole structure. It is by reason of the later smothering of that principle under the pillows of government protection, that we have never seen the full effect of the law.

Yet, after all, was Mr. Dawes justified in his great faith in his beloved red man? Was the race able to enjoy freedom and fit for citizenship? Let us see what a single generation has done for itself.

I take a few figures from the new report of the Indian Commissioner for 1916. There are today 335,700 Indians in the United States, but the "Indians under Federal supervision" are said to number only 312,654. Of these, 184,855 have already been allotted, 112,359 of whom already hold patents in fee simple for most or all of their land. Moreover 78,985 are already citizens, and 26,290 of them vote. Still more encouraging are the reports of economic conditions, which show 59,773 Indians to be entirely self-supporting. And what will you say to the statement that of the reservation Indians there are 42,110 who live in houses worth, with barns and other outbuildings, \$12,635,814; they own wagons, tools, and the like worth \$4,866,244, stock and poultry reckoned at \$33,932,619, and crops worth \$5,293,719. Not all the Indians are farmers, for the 26,000 who work at other industries have gained \$2,378,377. And from it all, the frugal have saved, in banks and elsewhere, over \$16,101,825. There are 97,000 church-going Indians, and in all the schools there are 61,243 children. Most wonderful to discover, 28,463 of these have already reached the goal of the public school—nearly half, you see.

Such is the prosperity of the Indian today—the blanket Indian of a single generation ago. Is not the new son of freedom a lusty son?

What then is this citizenship, held in such high honor that all the nations of Europe are fighting unto death to preserve it, and our own country shudders and hesitates on the brink of war? What does it profit that a man should be a citizen of a great country? Why should it count with himself and his children more than comfort or welfare or even life itself?

One cannot put into words a man's love for his country. The deepest emotion, the strongest motive in human life, save only the love for God, it cannot be defined or explained. It is above and beyond the poor words which tell our little personal experience. And since for its sake we will endure all things but dishonor, it behooves us in this great time of testing to consider what it means to us.

For us of the United States the love of our country is as wide as the plains which unite the western ocean to the eastern; it is

as high as the ranging peaks which yet make no wall between our coasts ; it flows unceasingly like the great river which is but a highway from northern lake to southern gulf. On our northern border stretches a long boundary line which no man can see, but which all men feel when they put it behind them into their yesterdays. On our southern border stretches that other long line which no man can see, but for which men think it worthy to give their lives, and we envy them their opportunity. In all these great spaces men deeply thank God that they—they themselves—are part and parcel of the great nation called the United States. “Part and parcel”—that is the burden of their rejoicing. We do not love our country because we are of one blood nor yet because we speak a common tongue. The many races under the universal empire of Rome were less than ours, and they swore allegiance in fewer tongues. It is idle to waste words in definition of this great emotion. It were better to consider some of its expressions, gathered into the words we use—*nation*—*patriot*—*citizen*—the common love of the nation, the common patriotism of the children of the fatherland, the common trust of the citizen in civic order and duty.

It is this *common* character which goes far to make the feeling what it is. We love our nation for all it does for us, for all the rights and benefits of its laws, for all the opportunities of its prosperity. Not for ourselves alone, but even more for our brethren, in one united voice we proclaim our grateful love. And especially is this true for us, the children born within our borders. For the smaller units have been taken up into the larger whole. As the family is absorbed into the clan, and the clan into the tribe, so we have become nationals. Still Comanche and Oneida and Cherokee, you, above all, are of the United States. You are no less an Indian than Samoset and Massasoit who greeted the white Pilgrims, Standish and Bradford. But in their time, for red man or white, there was no outlook beyond the mountains, no protection beyond the flight of the arrow and the thrust of the sword. Since 1887, however, you and we together are born under the same flag. The high hearts of the aborigines, the brave struggles of the pioneers, the ordered courage of the patriots of '76, the life and death decision of '65 which gave us law and freedom, the sudden bursting of our bonds in 1908, the mighty fears of this our own strange time,—these belong to all of us, to us fellow-citizens of the great nation known as the United States. The red man's noble pride is as much mine as it is yours, the black man's rejoicing belongs to you and me as much as to him, and the shadowy fears or winged hopes of the future are born in all our minds alike.

If I found it difficult to explain the love of country, it was

because it is so instinctive and elemental that we do not try to understand it, but rejoice to feel it. Now that we must meet defiance, and now that danger threatens, it waits for no definition. We cannot hasten fast enough to offer her all our resources, unto life itself. For if we ask the protection of our country, we also covenant to defend her, and the love which lays down life is the supreme evidence of devotion. It is the proof that we believe her greater than our little lives. Our loyalty springs quick and true in these days of terrific waiting.

I have asked you to consider a third great aspect of the love of country, the civic opportunity and duty of its citizens. In order that danger may be driven far, and that peace may bring progress, we are citizens. The law guards our equal liberty, grants our equal opportunity, and if we love the great motherland which is our refuge, and the wise fatherland which is our pride, it is for us to do our part to be strong and sturdy children, ready and fit to bring her safely and far on the road of achievement. It is for us to render her the due of loyalty and ambition, of reasoned self-control, and of intelligent industry. The brotherhood of our people is no pretty phrase. It is the meaning of all our past and the promise of all our future. Our country asks from us that golden conduct which puts the other beside ourselves. There is no struggle between capital and labor where that rule reigns, nor any jealousy of race. Thus, in seeking each the good of the other we fill the cup of civic duty.

It was to such high heritage of citizenship, with all that it includes of nationality, patriotism, and civic duty, that the Severalty Law opened the door. And as every year it swings wider, I beg you to appreciate what it stands for, and crowd your citizenship so full of meaning that it shall burst the old bottles. Let the new wine fill the common cup of a citizen. Be not a red man alone, but beyond that, a citizen of the United States; so shall the Severalty Law take on its full content. It is to you the great chance will come. You and your children will walk out of the reservation as your fathers have done, but you will walk into a new life for which you only are responsible. Fill up the measure of good in this statute in the name of that lover of your race, Henry L. Dawes, for the sake of your people, for the sake of the Nation of which the Severalty Law made you citizens.

